

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA
11

12 JEROME TALLEY,

CASE NO. 15-5707 RJB

13 Plaintiff,

ORDER

14 v.
15 GINA NAJOLIA,
16 Defendant.

17 This matter comes before the Court on review of the record. The Court has considered
18 the file and is fully advised.

19 On October 1, 2015, Plaintiff filed a Complaint (Dkt. 1), but did not pay the filing fee or
20 file an application to proceed *in forma pauperis*. On November 16, 2015, a Report and
21 Recommendation was filed, noting that Plaintiff has incurred over three strikes under 28 U.S.C.
22 § 1915(g). Dkt. 5. The Report and Recommendation recommends that Plaintiff be ordered to
23 pay the filing fee because he may not proceed *in forma pauperis*. *Id.* On November 23, 2015,
24 Plaintiff filed a pleading in this and several other cases, moving for the recusal of several of this
district's judges. Dkt. 6. On November 25, 2015, a Bar Order was entered against Plaintiff

1 pertaining to all future filings. Dkt. 7. On November 30, 2015, the Report and Recommendation
2 (Dkt. 5) was returned to the court by the post office, stamped, "Return to Sender Not in Jail."
3 Dkt. 8.

4 Local Rules W.D. Wash. 41(b)(2) provides:

5 A party proceeding pro se shall keep the court and opposing parties advised as to
6 his or her current mailing address and, if electronically filing or receiving notices
7 electronically, his or her current email address. If mail directed to a pro se
8 plaintiff by the clerk is returned by the Postal Service, or if email is returned by
9 the internet service provider, and if such plaintiff fails to notify the court and
10 opposing parties within 60 days thereafter of his or her current mailing or email
11 address, the court may dismiss the action without prejudice for failure to
12 prosecute.

13 Plaintiff has failed to keep the court advised as to his current mailing address. Plaintiff
14 should be ordered to advise the court of his current mailing address within 60 days of the date of
15 this Order. If Plaintiff fails to do so, this case should be dismissed without prejudice by the clerk
16 for failure to prosecute under Local Rule 41(b)(2). The Report and Recommendation (Dkt. 5)
17 and Plaintiff's November 23, 2015 motion (Dkt. 6) should be **RENOTED** to February 5, 2016.

18 **IT IS SO ORDERED.**

19 The Clerk is directed to send uncertified copies of this Order to all counsel of record and
20 to any party appearing *pro se* at said party's last known address.

21 Dated this 4th day of December, 2015.

22
23
24



25

26 ROBERT J. BRYAN
27 United States District Judge